

## **OFFICE OF VEHICLE MANAGEMENT**

### **POLICIES AND PROCEDURES**

### **MANUAL**



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Office of Vehicle Management (OVM)  
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# STATE PASSENGER VEHICLES POLICIES AND PROCEDURES

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## **Application, Purpose, Scope and Authority**

These Policies and Procedures are adopted to ensure that State vehicles, as defined, are procured, allocated, operated, marked, repaired and maintained in an efficient, economical fashion and consistent with laws of general application.

These Policies and Procedures shall apply to all State vehicles, as defined, owned, leased, rented, or received as gifts contracted by the Commonwealth of Massachusetts, excluding those under the jurisdiction of the Commonwealth's Constitutional, Legislative and Judicial Offices, the public institutions of higher learning, independent authorities, which are exempt by statute from these Policies and Procedures, sworn State Police Troopers and Environmental Police.

**These Policies and Procedures are adopted under the authority of M.G.L. c. 30 ss. 36 and M.G.L. c. 7 ss. 4A (St. 1989 Ch. 731) ss. 9A and 22 and replaces the Administrative Bulletins 89-6 and 93-1.**

## **Definitions**

The following terms shall have the meaning assigned in this section unless another meaning is obvious from the context:

Department Head: The individual who, either by election or appointment, is responsible for the administration of a Department, or a person specifically designated by the Department Head in writing, to fulfill the duties and responsibilities of the Department Head.

Department-Owned Vehicle. Vehicles that were originally purchased by the Department and is currently in use at the Department. **Note**: Title to and ownership of the vehicles are established at the Registry of Motor Vehicles as the Executive Office for Administration and Finance.

Commissioner for Administration: The Secretary of the Executive Office for Administration and Finance, in his capacity as Commissioner of Administration, or a person specifically designated by the Commissioner to fulfill the responsibilities and duties given the Commissioner by statute, executive order or regulation.

Commute: A trip between the Employee's personal residence and a work site (whether or not the ordinary work place) located in the area where the individual normally works even if the individual makes previous or subsequent work stops outside that area.

Decal. A sticker or other form of marking which is required by State law **or these Policies and Procedures** to be affixed to a State Vehicle.

Department: Any subdivision of the Executive Branch of the government of the Commonwealth, but excluding the Departments of the Attorney General, the Secretary of State, the State Auditor, the State Treasurer, the Governor's and Lieutenant Governor's offices, and to the extent they are exempted by statute, the institutions of higher learning and independent authorities.

Department Fleet Administrator: An Employee identified by the Department as the individual responsible for one or more vehicles allocated to the Department by OVM, and responsible for the administration of these Policies and Procedures within the Department.

Domicile Travel: The authorized use of a State vehicle to drive between a personal residence and work site on a regular basis. **(See Section on Domicile Travel).**

Employee: Any person employed in the executive branch whose compensation is determined in accordance with Chapter 30, sections 46 and 46C, who is determined to be confidential pursuant to Chapter 150E, or whose compensation is determined by a collective bargaining agreement pursuant to chapter 150E.

Environmental Police Officers: Sworn officers of the law, employed by the Department of Fisheries and Wildlife, a Department within the Executive Office of Environmental Affairs, who has the authority to carry weapons, serve warrants and make arrests on behalf of the Commonwealth.

Leased Vehicles: Vehicles leased to a department through OVM at an established monthly leased rate.

Motor Pool Vehicles: Passenger vehicles made available by OVM to Departments for short-term rental.

Normal Business Hours. Monday through Friday from 7:00 a.m. to 6:00 p.m. EST, excluding Commonwealth holidays.

Office of Vehicle Management (OVM): The Office within the Operational Services Division (OSD) responsible for managing the Commonwealth's fleet of vehicles and the implementation and administration of these policies and procedures.

**Operational Services Division (OSD): The Division within the Executive Office for Administration and Finance established pursuant to St. 1989, c.731, to regulate and oversee the procurement of human and social services, goods and general services, including the administration of the Commonwealth's State Fleet of vehicles, the disposition of Federal and State Surplus Property and the operation of Central Reprographics, a centralized printing facility for various State departments.**

Overnight Travel: The authorized use of a State Vehicle to drive between a personal residence and work site for a limited period of time. **(See Section on Overnight Travel.)**

Purchasing Agent: The Deputy Commissioner of Administration for the OSD, or a person designated in writing by the Purchasing Agent.

Secretary: The executive officer of one of the executive offices established under M.G.L. c.6A or c.7, or other provision of the General Laws.

State Police Troopers: Sworn officers of the law who drive State Police Cruisers, have the authority to carry weapons, serve warrants and make arrests on behalf of the Commonwealth.

State Vehicle. Any state-owned, leased or rented vehicle with a primary purpose of transporting one or more employees, clients and/or equipment of the Commonwealth to various business work-sites. The following categories represent types of vehicles in the State's Fleet:

- 1) Any subcompact, compact, mid-size or full-size automobile;
- 2) Any passenger carrying or cargo carrying mini-van, regardless of Gross Vehicle Weight;

- 3) Any passenger carrying or cargo carrying full-size van, regardless of Gross Vehicle Weight;
- 4) Any pickup truck, regardless of Gross Vehicle Weight, including but not limited to crew-cab pickup trucks, utility body trucks, and pickup trucks with dual rear wheels; and
- 5) Any other passenger or cargo carrying vehicle with a Gross Vehicle Weight equal to or less than 10,000 pounds.
- 6) Any Sports Utility Vehicle (SUV).

State Driver: An operator of a State vehicle who is an employee, as defined in this section. Contract employees are not allowed to drive state vehicles unless they have been granted approval by the Office of Vehicle Management. (See section on Vehicle Use.)

Vehicle: See State Vehicle.

### **Waivers**

- 1) The **Purchasing Agent** or his designee may waive strict compliance with these Policies and Procedures in writing, when he determines that:
  - a) the non-compliance is minor or in the best interest of the Commonwealth, and;
  - b) does not significantly diminish the intent and purpose of these Policies and Procedures.
- 2) A waiver must state the circumstances and reasons for its issuance and be signed by the Commissioner or his designee.

### **Finality of Determinations**

Each determination made or approved by the Commissioner of Administration under these Policies and Procedures shall be final and conclusive.

### **Declaration and Need for Vehicle Purchases**

- 1) **All State vehicles will be procured by OSD only.** Under no circumstances may a Department purchase, lease, or commercially rent a State Vehicle in any manner inconsistent with these Policies and Procedures.
- 2) OSD, will procure State vehicles consistent with applicable laws, regulations, policies and procedures and only with the approval of the Procurement Team Leader for Vehicles and Related Services, the OVM Fleet Administrator and the State Purchasing Agent when the:
  - a) need and annual usage in excess of 15,000 miles has been demonstrated to the satisfaction of the State Purchasing Agent, the Director of Administration and OVM; and,
  - b) funding is available within OVM,
  - c) the Department agrees to OVM's lease terms, or
  - d) the vehicle is being purchased for exclusive use by State Police Officers.
- 3) All Vehicles shall be procured from contracts established by the Procurement Management Team (PMT) for Vehicles and Related Services. (See Section on PMT.)
- 4) The PMT shall develop standard specifications, except in special cases where it is determined by the OVM Fleet Administrator and the Purchasing Agent that additional equipment is necessary to conduct state business effectively.
- 5) In instances where projects which are funded through outside contractors require the purchase or lease of vehicles for use by said outside contractors, the Department must submit a request to OVM which shall include the following:

- a) a description of the project for which the vehicles are being requested;
- b) justification for the use of a vehicle, including a cost benefit analysis;
- c) certification that funding is available for a vehicle lease; and,
- d) the contractor(s) that will be using the vehicles.
- e) OVM will review the request and either approve it or recommend alternative means of providing vehicles to contractors.

### **Procurement Management Team (PMT) for Vehicles**

- 1) The PMT for all commodity and service procurements that fall under the Vehicle procurement group have been delegated to the Office of Vehicle Management (OVM). The Procurement Team Leader's (PTL) primary responsibility will be to lead, guide and oversee the procurement process as well as work cooperatively with team members in the management of statewide contracts. The categories and object codes that fall under this group are:

F21	Navigational and Nautical Supplies
K04	Motorized Vehicle Equipment
K11	Heavy Equipment
L11	Heavy Equipment - Lease Purchase
L24	Motorize Vehicle Equipment Rental or Lease
L31	Heavy Equipment Rental or Lease
L44	Motorized Vehicle Equipment Maintenance & Repair
L51	Heavy Equipment Maintenance & Repair

- 2) The role of the PMT is to work under the management and oversight of OSD as the Procuring Department. The Vehicle PMT is unique in that it will work under the Office of Vehicle Management, within the Operational Services Division. Departments, who are primary users of the equipment and/or services procured in this group are encouraged to participate on the team.
- 3) The PTL will reside in OVM, working in collaboration with the Fleet Administrator and reporting to the Director. The PTL is the primary point of contact on all things relating to team activity, i.e., RFRs, contract information, vendor inquiries, plays a key role in the coordination and development of customer satisfaction surveys, training, vendor fairs, provides assistance to customers, i.e., state departments, political sub-divisions, authorities, higher education; and, may initiate or participate in cooperative purchasing efforts with other states.
- 4) The Vehicle PMT, like all others originating from OSD, is primarily responsible for statewide contracts; however, they are also responsible for conducting departmental or multi-departmental procurements in excess of \$50,000 upon request of the PTL. Development of solicitations under \$50,000, not on Statewide Contract, and fall within the vehicle group, are the responsibility of the requesting department. The PTL, in conjunction with OVM reserves the right to review all RFRs in this category. All departmental purchases (PDs), must be sent to the PTL for override in the MMARS system.

### **Lease and Assignment**

- 1) OVM will lease vehicles to Departments that can demonstrate to the satisfaction of the OVM Fleet Administrator:
  - a) a clear need for the full-time use of a vehicle;
  - b) the estimated annual usage in excess of 15,000 miles per year excluding Domicile and Overnight Travel; and,
  - c) that the Department has sufficient funds to cover the cost of leasing the vehicle; and

- d) if requesting a vehicle other than an automobile, i.e., SUV, van, truck, mid-size sedans or wagons, the agency must demonstrate a clear need for this type of vehicle (see example in 2b).
- 2) Departments wishing to lease a vehicle for full-time use must submit a request to the OVM Fleet Administrator on the appropriate form designated by OVM. Requests for vehicle leasing must be reviewed and signed by the Department Head prior to submission. The form requires the Department to include the following information:
- a) a written statement which justifies need, including but not limited to: a cost-benefit analysis demonstrating the financial advantage to the Department through the use of the vehicle; where the vehicle will be driven, approximate expected daily mileage; and how frequently the vehicle will be driven;
  - b) If requesting a vehicle other than a sub-compact or compact automobile, a clear justification for the vehicle must be presented. For example, when requesting a SUV, the justification should support the full and adequate use of this type of vehicle, i.e., the need for off road capability, 4 wheel drive, size capacity, location, typical use, i.e., emergency response, security, transporting inmates and/or clients, work detail and other requirements that you deem necessary to further justify the request.
  - c) names of employee(s) that will be using the vehicle and the employee's driver's license number(s);
  - d) any special or additional equipment the Department requires for the vehicle;
  - e) appropriation to be used to cover the costs of leasing the vehicle;
  - f) certification that the Department has sufficient funds to cover the cost of leasing the vehicle; and,
  - g) name of the Department Fleet Administrator.
- 3) OVM shall disapprove the request when:
- a) it is inaccurate or incomplete in any way; or,
  - b) the supporting documents are inadequate to meet the criteria in (1) above.
- 4) The OVM Fleet Administrator shall demonstrate his approval by signing the request. **All SUV requests must be approved by the Commissioner for Administration and Finance or his designee.** If OVM disapproves the request, it shall notify the Department with a statement of reasons for disapproval.
- 5) Requests for waiver of the minimum average utilization rate must be completed on an **OVM-W** form and must be reviewed and signed by the Department Head prior to submission. Requests will be reviewed on a departmental basis and must be approved by OVM. OVM may grant the request when it determines that loss of a vehicle not meeting this requirement will create a hardship to the Department or to persons under the care or custody of the Department. (OVM-W Form attached).
- 6) If the request for lease is approved, OVM will determine whether a vehicle, meeting the approved specifications, is available in the existing fleet. If so, OVM will assign the Department that vehicle. If not, OVM will procure an appropriate vehicle for lease to the Department.
- 7) Each Department that leases one or more vehicles from OVM shall designate a single employee who shall be the Department Fleet Administrator. The Department Fleet Administrator will be responsible for all vehicles leased to the Department.

- 8) OVM will stipulate the length of the lease. Once a vehicle is leased, Departments are required to report monthly on vehicle usage. OVM will monitor its usage regularly to assure that all requirements are met.
- 9) Lease renewal requests must be submitted on an **OVM-R** Form at least sixty (60) days prior to the expiration date of an existing lease for review and approval. Failure to submit this request on time may result in loss of the vehicle. Requests for renewal shall be reviewed and approved consistent with the procedures described in (1)-(5) above. (OVM-R Form attached).
- 10) If a Department wishes to add another employee to the list of those using a leased vehicle, the Department must amend and forward an updated listing of the employees to be added and their driver license number(s). This list may be requested at any time during the lease of the vehicle at the request of the OVM Fleet Administrator and/or may be reviewed by the OVM Auditor during a routine audit.
- 11) OVM will monitor the use of all vehicles to evaluate compliance with the requirements specified **in these policies and procedures**. If OVM determines that the vehicle is not meeting the criteria, the lease will be canceled and the vehicle will be returned to OVM unless the Department is granted a waiver.
- 12) The fee for the lease of a vehicle will be determined at the time of purchase and will remain in effect until the vehicle is removed from service. OVM will not charge Departments for the use of vehicles which were purchased, including gifts, directly by the Department using state or federal funds, provided the Department continues to be responsible for furnishing fuel, maintenance, and repairs for such vehicles.
- 13) If at any time an employee or Department violates any of the conditions outlines in these Policies and Procedures, as determined by the Review Board, OVM reserves the right to terminate the lease of one or more vehicles unconditionally, and will direct the Department Head to return the vehicle(s) to OVM.
- 14) The following items must be in each OVM leased vehicle or, if determined by the Department Fleet Administrator, to better facilitate proper use of the form(s) and have more control of the vehicles in their service, Fleet Administrators may keep some forms at the State facility providing they have a documented system in place for recording the appropriate information, when required. **However, the registration must remain in the vehicle at all times.**
  - a) Vehicle Service Maintenance Card
  - b) Fuel Card
  - c) Vehicle Registration
  - d) Accident Report Police Form
  - e) Driver Log

### **Vehicle Replacement**

- 1) OVM will replace vehicles as is necessary due to accident, mechanical failure, depreciation, or excessive mileage provided funding is available and it is economically feasible to do so. OVM will proscribe suitable replacement cycles.
- 2) OVM may remove from service any vehicle which is no longer cost-effective to operate, regardless of original purchaser and regardless of Department's ability to fund the lease of a replacement vehicle. An analysis by OVM of past utilization of the vehicle will be conducted to determine if a replacement vehicle is needed by the affected Department. If it is determined that a replacement vehicle is warranted, OVM will provide a replacement vehicle at a pre-established rate.



- 3) If OVM determines that a vehicle can no longer be of use to the Commonwealth due to damage, mechanical failure, or excessive mileage, it will dispose of the vehicle consistent with 802 CMR 3.00. OVM shall notify the Department that is leasing or holding the vehicle that it will be removed from service. The Department shall promptly transport the vehicle to a location designated by OVM.

### **OVM Motor Pool**

- 1) OVM has a limited number of Motor Pool vehicles available to Departments for short-term rental for official state business. Motor Pool vehicles will be allocated daily based on availability.
- 2) To reserve a Motor Pool vehicle, the requesting Department must telephone OVM and provide all requested information regarding the driver and intended use of the vehicle. The reservation telephone number is: 617-720-3310.
- 3) Motor Pool vehicles may be rented for a maximum of five consecutive business days. If the Department requires a vehicle beyond the five day limit, a request must be submitted at least one day prior to the expiration of the five-day rental term.
- 4) Failure to comply with Motor Pool policies established by OVM will result in an administrative charge to the Department. OVM will assess a replacement charge for lost or stolen keys, Saltonstall garage pass, or refueling cards. Repeated failure to follow these procedures may result in the loss of Motor Pool privileges by the Department and employee.
- 5) Reservations may be canceled at any time prior to the scheduled pick-up without a charge to the Department. Reservations will be held for one hour after the scheduled pick-up time. After one hour, the Department will be assessed the daily rental cost without the guarantee of vehicle availability.
- 6) Motor Pool rates are established by the OVM Fleet Administrator. Any changes to the rates or enhancements to the Fleet will be sent to the Department Fleet Administrator for distribution.
- 7) The following items must be in each motor pool vehicle:
  - a) Vehicle Service Maintenance Card
  - b) Fuel Card
  - c) Vehicle Registration
  - d) Access Card to Saltonstall Building Garage
  - e) Accident Report Police Form
  - f) Survey Card
  - g) OVM-R1 Form

### **Internal Modifications**

- 1) Any internal modifications to vehicles such as adaptive devices for persons with disabilities, mobile phones, or two-way radios must be approved by the Department Head before installation in a vehicle. The Department shall promptly notify OVM of any internal modifications and provide OVM with a complete listing of the equipment and other items installed. Structural modifications are not permitted without prior approval of OVM.
- 2) Vehicles must be affixed with Decals and other markings as required by State law.

### **Vehicle Use**

- 1) Employees operating State vehicles must possess a valid driver's license.

- 2) State Vehicles shall only be used by employees to conduct official state business. At no time may a state-owned, leased, or rented vehicle be used for personal reasons. Employees may not at any time carry any passenger not connected with the state business for which the vehicle is being used.
- 3) Consultants, contract employees or summer interns may operate State vehicles provided they receive approval from OVM. A request for approval to drive a State vehicle must come from the Department Head stating the name of the individual(s) and their driver's license number. OVM will check their driver history through the RMV and either approve or deny the request. If its an out-of-state driver's license, the individual will have to obtain their own driver history from the State in which the license was issued and bring it to OVM for review and/or approval.
- 4) The use of a State vehicle to commute between work-site and personal residence will only be allowed in those situations outlined in the section on "Overnight Travel/Domicile Travel," of these Policies and Procedures.

### **Vehicle Documentation**

- 1) If applicable, all state vehicles must carry:
  - a) an appropriate authorization form for Overnight Travel;
  - b) confidential registration; and,
  - c) confidential registration authorization letter and standard state plate (if authorized for Confidential Registration).
- 2) Any employee found using a State vehicle without the proper documents as specified in these Policies and Procedures may lose his/her privilege to drive a vehicle.
- 3) OVM will periodically check State vehicles to determine whether the proper documents are maintained in each vehicle.

### **Driver Log and Monthly Mileage Reporting**

- 1) Each Department that **owns or** leases a vehicle must record the vehicle use in the Driver Log for that vehicle. The Driver Log shall be kept in the vehicle at all times. The Driver Log must include for each trip:
  - a) Start Date and Time;
  - b) End Date and Time;
  - c) Odometer Reading Start;
  - d) Odometer Reading End;
  - e) Beginning Location;
  - f) Destination; and,
  - g) Driver.
- 2) At the end of each month, the Department Fleet Administrator must collect the Driver Logs from the vehicles in its possession and maintain official, permanent files of these logs for a minimum of three (3) years. Thereafter, the file will be disposed of pursuant to the requirements of the Commonwealth's Records Conservation Board.
- 3) Based on the Driver Log, all Departments to which vehicles are assigned are required to report the ending odometer reading of each vehicle at the end of each month to OVM by the tenth working day of each month.

- 4) Failure to report monthly vehicle mileage for two consecutive months will result in the immediate loss of the vehicle(s) for a period to be determined by the ***OVM Review Board***.
- 5) The Driver Logs must be provided to OVM upon request.

### **Authority to Conduct Audits**

OVM will regularly conduct audits of the Departments in order to confirm compliance with all sections of these Policies and Procedures. Audits may be scheduled in advance with proper notification to the department or randomly as determined by the OVM Auditor. Departments are required to provide access to all vehicle records requested by the Auditor.

### **Monthly Billing**

- 1) Billing for OVM leased and Motor Pool vehicles and other related charges is generated at the end of each month in accordance with the Intergovernmental Billing Regulations, 815 CMR 6.00. At the beginning of each fiscal year, an Intergovernmental Encumbrance (IE) Form with the estimated cost during that year will be presented to each Department that is expected to lease the vehicles. Failure to encumber funds to meet lease obligations shall result in the loss of vehicles not covered through the IE.
- 2) Monthly lease and daily rental rates will be established for each newly-purchased vehicle and will be fixed for the life of the vehicle. Rates will be based on the actual cost of the Vehicle including, without limitation, replacement cost, estimated repairs, and administrative overhead.

### **State and Local Motor Vehicle Laws and Regulations**

- 1) State Drivers must obey all state and local traffic and parking laws and regulations. Any legal action resulting from such violations is the responsibility of the State Driver.
- 2) Operating Under the Influence of Alcohol or any other illegal Substance:
  - a) Any employee arrested for operating a State vehicle under the influence of alcohol or any other illegal substance will lose all privileges to operate a State vehicle pending the outcome of the charges. If an employee is convicted, pleads guilty or pleads to sufficient facts s/he will permanently lose his/her privilege to drive a State vehicle.
  - b) If a Department is aware that an employee has been involved in one or more incidents of operating a State vehicle under the influence of alcohol or any illegal substance, it shall immediately forward the information to OVM. Failure to do so will result in the loss of one or more vehicles assigned to the Department.
- 3) Traffic Violations Including Speeding Tickets: OVM does not pay nor reimburse the payment of traffic violations incurred by employees while operating State vehicles or employees using non-state vehicles for state business. These monetary penalties are the personal responsibility of the employee. Under no circumstances is payment or reimbursement to be made by a Department.
  - a) Employees found guilty of a traffic violation while operating a State vehicle will lose the right to use a State vehicle for not less than one month. Employees who repeatedly violate traffic laws will permanently lose the privilege of using a State vehicle. A Department found to have a high frequency of traffic violations may lose the use of one or more State vehicles.
  - b) If a Department is aware of repeated violations by one of its employees, it must forward the information to OVM. Failure to do so will result in the loss of one or more vehicles assigned to the Department.

- 4) Parking Tickets: OVM does not pay or reimburse the payment of parking violations incurred by employees operating State vehicles or non-State vehicles for state business. These monetary penalties are the personal responsibility of the State Driver. Under no circumstances is payment or reimbursement to be made by a Department.
- a) Employees are responsible for promptly paying any tickets they incur. Failure to do so may result in the permanent loss of the privilege of using a State vehicle. A Department found to have a high frequency of unpaid parking violations may lose the use of one or more State vehicles.
  - b) Upon notification of unpaid parking violations, OVM will determine which Department is responsible for each ticket, make a record of the violation, and forward the notification to the Department Fleet Administrator.
  - c) The Department Fleet Administrator is responsible for insuring that parking tickets incurred by Department employees, while operating State vehicles, are paid promptly. Failure to do so will result in the loss of one or more vehicles assigned to the Department.
  - d) The Department Fleet Administrator must identify who was using the vehicle at the time of the violation and forward the ticket to that employee. The Department Fleet Administrator must also notify OVM of the name of the employee it determines is responsible for the violation. If OVM is not given the name of the responsible employee, responsibility for payment of the violation will default to the Department Head.
  - e) If an employee does not promptly pay his/her parking tickets, OVM will terminate the lease of the vehicle in his/her use or in the case of a department-owned vehicle, require the forfeiture of the vehicle, and will not allow the employee to use the Motor Pool vehicles until fully paid.
  - f) If a parking ticket on a vehicle shared by one or more Department employees is not paid, OVM will terminate the lease of the vehicle or in the case of a department-owned vehicle, require the forfeiture of the vehicle and also the vehicle used by the Department Head if one is assigned to him/her. Authorization for use of a State vehicle by an employee or Department may be restored once all outstanding parking tickets are paid.

### **Seat Belts**

Pursuant to State Law, all employees and their passengers must use seat belts when traveling in State vehicles. Individuals observed not wearing seat belts may lose their privilege to drive a State vehicle.

### **Out-of-State Travel**

Out-of-State Travel in a State Passenger vehicle is permitted provided there is an approved ***Travel Approval Form (TAF)*** in the file at the Department or in the OVM Motor Pool files when the vehicle is being rented from the Motor Pool.

### **Vehicle Accidents**

- 1) At the scene of an accident involving a State vehicle, the driver shall, unless incapacitated due to injury:
- a) Call for medical assistance if necessary;

- b) Notify the police. If this is not immediately possible, the driver must notify the police as soon as he/she is able;
  - c) Obtain all information necessary to fully complete an accident report with PHH's Risk Management Department.
- 2) After the accident, the driver MUST:
- a) Call PHH Risk Management Service Department at **1-800-446-7052** within 24 hours of the accident, assuming that the driver is not seriously injured;
  - b) PHH will complete an electronic accident report based on your call and will forward a copy of the accident report to OVM and the department Fleet Administrator. Remember that the driver is responsible for obtaining all information necessary for PHH to fully complete the accident report.
  - c) PHH will provide assistance and give the driver direction regarding the state vehicle. Towing service will be provided if necessary;
  - d) PHH will schedule the repair and return of your state vehicle;
  - e) PHH will notify OVM of any accidents involving injuries to other parties or their property;
  - f) PHH will contact the state driver as needed to follow up on any accident;
  - g) OVM will review all accidents with PHH to determine if the state driver is responsible for the accident;
  - h) Accidents that are deemed to be the responsibility of the state driver will be billed directly to his/her agency by PHH. The Department employing the responsible driver will pay for the cost of repairs or replacement of the vehicle and the cost arising from actions filed against the Commonwealth by any party.
  - i) PHH will subrogate all claims against other drivers insurance companies and collect all funds for OVM.
  - j) If an accident causes over \$1,000 worth of property damage and/or injury or death, the driver must send a copy of the accident report to the **Registry of Motor Vehicles**, the **Attorney General** and the **police department** in whose jurisdiction the accident occurred. The driver could get a copy of the accident report from his/her agency Fleet Administrator.
  - k) If a police report was filed in connection with the accident the driver MUST obtain a copy and forward it to OVM.
- 3) State drivers will no longer have to:
- l) Report accidents directly to OVM.
  - m) Obtain three (3) accident repair estimates.

### **Stolen Vehicles**

- 1) Stolen vehicles must be reported immediately to the police department having jurisdiction of the location where the theft occurred and the Governor's Anti-theft Unit. The employee reporting the theft to the police shall identify the OVM Fleet Administrator as the person to be contacted with any information concerning the Vehicle.
- 2) The employee must immediately notify his/her Department Head and the OVM Fleet Administrator when s/he discovers that a vehicle is missing.
- 3) If the vehicle is recovered, the OVM Fleet Administrator will notify the police, the Department Fleet Administrator and the Governor's Anti-theft Unit. If the employee or Department is notified that the vehicle has been recovered, the employee must notify the OVM Fleet Administrator immediately.
- 4) If the vehicle is recovered in damaged condition, the vehicle will either be repaired in accordance with procedures outlined in the section entitled: **Preventive Maintenance/Repairs**, or removed from service. **(See section on Vehicle Replacement.)**

### **Misuse of State Vehicles**

- 1) OVM may revoke or suspend vehicle privileges of any employee and may rescind a Department's vehicle use privilege of one or more vehicles assigned to a Department for any of the following violations, including without limitation:
  - a) Lack of proper vehicle identification and documentation;
  - b) Failure to use seat belts;
  - c) Using a State vehicle without authorization or permission of the individual to whom the vehicle is assigned;
  - d) Use of a vehicle without a valid driver's license;
  - e) Use of a vehicle for other than official state business;
  - f) Unauthorized out-of-state travel;
  - g) Unauthorized overnight travel;
  - h) Misrepresentation on any OVM forms;
  - i) Use of the vehicle for a purpose other than for its intended use;
  - j) Failure to maintain vehicles in accordance with **OVM Policies and Procedures**; or,
  - k) Failure to obey state and local traffic and parking laws and regulations.
- 2) If an employee has violated policies governing vehicle usage, the OVM Review Board will decide the term of the revocation of vehicle privileges of any employee or Department.
- 3) If the employee wishes to appeal the decision, the appeal must be submitted in writing and be approved by the employee's Department Head and Secretary. The Department's Executive Office may then petition on behalf of the employee to the OVM Review Board for reconsideration.

### **Preventative Maintenance/Repairs**

- 1) Departments are required to ensure that vehicles are repaired and maintained. Maintenance and repair services shall be purchased from Statewide Blanket Contracts established by OSD. In the event no Statewide Blanket Contract exists, maintenance and repair services shall be obtained consistent with 801 CMR 21.00 and the Procurement Policies and Procedures Handbook.
- 2) Preventative Maintenance: Failure to properly maintain a vehicle may result in the loss of the vehicle by the Department. Preventative Maintenance must be performed in accordance with

the schedule defined in the Maintenance and Repair Contract. Repairs with a cost in excess of fifteen hundred dollars must be approved by the Commissioner of Administration **or his designee**, if the original purchase price of the vehicle is twenty thousand dollars or less. Repairs in excess of three thousand dollars to a Vehicle with an original purchase price of over twenty thousand dollars must also be approved by the **Purchasing Agent or his designee**.

### **Fueling Vehicles**

- 1) Fuel for vehicles shall be purchased from Statewide contracts established by the Operational Services Division. **The only type(s) of gasoline purchased with the fuel card are either regular (unleaded) or diesel.** Under no circumstances is a state employee to use super and/or premium gasoline when fueling a state-owned or leased vehicle. Such violations of the fuel card will be noted and the employee may be required to pay the difference between regular and the higher grade gasoline or lose their right to operate a state vehicle for a period of time determined by the OVM Fleet Administrator. Departments may also purchase gasoline using a fuel card from a state-owned operated fuel site.
- 2) Departments enrolling under the fuel card contract will be issued a Universal Fuel Card for each enrolled vehicle and/or an optional non-vehicle fuel card which may be used by departments to purchase fuel for small engines and off-road equipment. The card itself is similar to a commercial credit card, with a magnetic strip on the backside. The fuel card is authorized for the purchase of **"fuel only."**
- 3) Fuel purchased under the fuel card program will be monitored by management reports provided by the contractor to minimize the risk of fraud.
- 4) Departments may choose to refill at state owned fueling sites provided they have been granted appropriate access cards to these fueling stations.

### **Overnight Travel**

- 1) An Employee may be permitted to drive a State Vehicle home on a given day if the employee is conducting **official state business after Normal Business Hours**.
- 2) **Motor Pool Vehicles:** If the Vehicle will not be garaged at the Department's location on a given night, prior written approval of the Department Head must be obtained on an **OVM-10** Form. The approved form must be held by the Department Fleet Administrator; and a copy must also be kept with the vehicle during the relevant time period. **(See OVM-10 Form attached.)**
- 3) If the vehicle has been assigned to a Department, the operator must fill out an **OVM-10A** Form and have prior approval of the Department Head. The approved form must be initialed and held by the Department Fleet Administrator and, a copy must be kept with the vehicle during the relevant time period.
- 4) Any Employee found using a vehicle outside of Normal Business Hours without the proper authorization as specified in this section will automatically lose his/her privilege to drive a vehicle for not less than three months. In addition, if the vehicle has been assigned to a Department, the vehicle will be permanently returned to OVM and the Department will not be issued a replacement vehicle.
- 5) OVM will randomly audit vehicles to determine if employees have the proper authorization to use a vehicle after Normal Business Hours.

## **Domicile Travel**

- 1) All Vehicles must be used solely for official state business. In limited situations, an employee may be authorized to use a vehicle for Domicile Travel when the nature of the employees' duties require it. Domicile Travel must be approved in advance by the **Commissioner for Administration and Finance or his designee**.
- 2) To request Domicile approval, departments must send a letter to the **Commissioner or his designee**, stating the nature and/or justification for domicile travel. Additionally, the letter must state the number of vehicles affected, the plate numbers, the driver's name and license number and the length of time in which domicile is being requested. **All domicile travel approvals will expire at the end of each calendar year, regardless of when the request and/or approval was granted. Departments must submit a new request for Domicile Travel for all vehicles at the beginning of each calendar year.**
- 3) The **Commissioner or his designee** will either approve or deny the request within ten (10) days of receipt of the request. It may take longer, if additional information is required by the **Commissioner or his designee**. The Department will be notified in writing within 10 business days as to their request for domicile. A copy of the request and final decision will remain on file with OVM.

## **IRS Reporting**

- 1) Federal law requires employers, including the Commonwealth, to include "fringe benefit income" on annual W-2 forms submitted to the IRS for each employee. Such fringe benefit income includes an amount reflecting an employee's use of an "employer-provided vehicle" for commuting.
- 2) Employer-provided vehicles include State-owned or leased vehicles or those provided to state employees by a contractor in connection with a state contract. The IRS provides exemptions for use of employer-provided vehicles it defines as "qualified non-personal use vehicles." Two specific exemptions include:
  - a) Law enforcement and fire vehicles; and,
  - b) Vehicles unsuited for personal use. **(Pick-up trucks and vans are NOT exempt).**
- 3) To calculate the value of the use of the employer-provided vehicle, the Commonwealth will determine the amount to be reported based on the then-current IRS publication.
- 4) All employees who have used an employer-provided vehicle to commute a minimum of fifteen one-way trips, either as a driver or a passenger, at any time during the calendar year must be listed on the **OVM-IRS** Form. The employee must submit certification of the number of one-way commutes to OVM. OVM will forward the certification to the Comptroller by November 15 of the following year in order that the Commonwealth can add the additional income to the Employee's W-2 form. (See OVM-IRS Form attached.)
- 5) If the certification is not submitted by the November 15 deadline, OVM will calculate the maximum number of commutes, and will forward that information to the Comptroller, using the following criteria:
  - a) If the Employee has continual use of a state vehicle, OVM will assume that the employee used the vehicle for two commutes on every day that the individual had overnight travel approval.
  - b) OVM will then multiply the number of commutes by the amount calculated under #3 above, and the Comptroller will add the resulting figure to the employee's W-2.



## **Confidential Registration**

- 1) **State Vehicles may be issued a confidential registration only if such Vehicles are in the possession of law enforcement personnel** and such registration is necessary either for undercover investigatory work or to protect the physical safety of law enforcement personnel using the vehicle. Such registrations will be issued on an individual basis for the sole use of the approved employee. **Confidential registrations are not transferable.**
- 2) Each request for a confidential registration must be submitted on an **OVM-CRR Form at least thirty days before the proposed effective date of the registration.** The **OVM-CRR Form** must be filled out in its entirety and signed by the Cabinet Secretary and Department Head, and must be approved by the OVM Fleet Administrator.
- 3) Once submitted, OVM will review the request. In the event a request is denied, OVM will return the application to the requesting Department with the reason for denial. A Department may resubmit a denied request for reconsideration provided the re-submission responds to the issues raised in the OVM denial.
- 4) The confidential registration will be valid for a two-year period from the date of the original registration. If the Department wishes to renew the confidential registration, it must submit a new request to OVM at least thirty (30) days prior to the expiration date. If the Department does not renew the confidential registration, it must immediately return the plate to OVM and reinstall the State plate.
- 5) All vehicles with confidential registrations will also simultaneously have a standard state registration and plate. The state registration form must be kept in the vehicle at all times. When a confidential plate is being used, the state plate must be kept in the trunk of the vehicle and the registration in the glove compartment.

## **1-800 "How Am I Driving Program"**

- 1) All Commonwealth vehicles, except law enforcement and undercover vehicles must display the "HOW AM I DRIVING," 1-800 telephone number on each unit. The sticker must be displayed on the left rear bumper. This sticker encourages citizens to dial the 1-800 number to comment on the driving of any state employee, both positively and negatively. OVM is responsible for overseeing the Commonwealth's fleet of vehicles and will monitor state drivers on the road through this program. It also instills the public's trust in our ability to adhere to safe driver rules and obey all traffic laws, including speed limits. OVM will monitor this program in the following manner:
  - a) An OVM operator will monitor all calls to the 1-800 number,
  - b) OVM will keep a log sheet of all calls which will identify:
    - i. Date of call
    - ii. Time of call
    - iii. State vehicle plate number being reported
    - iv. Location of incident
    - v. Time of incident
    - vi. Nature of call
    - vii. Name, telephone # and address of caller (NOT REQUIRED)
    - viii. Indicate if caller wants a response back.
  - c) OVM will contact each caller who leaves a message to confirm details of the calls.
  - d) OVM will issue a letter to the Department Fleet Administrator asking for a written response in the event of a complaint.

IF IT IS A COMPLAINT, THE FOLLOWING MUST OCCUR:

- 2) The Department Fleet Administrator will have ten (10) working days to investigate, identify the driver and respond back to OVM.
- 3) OVM will determine if any other complaints were logged against the driver in a period not less than 3 (three) months from the initial complaint and/or will review the log sheets for any complaints issued within the current fiscal year.
- 4) If the driver has received 2 (two) or more complaints in a 3 (three) month period, OVM will issue a warning to the driver that his driving rights may be suspended for a period of time to be determined by the OVM Fleet Administrator.
- 5) If complaints continue to occur after the initial warning within the same fiscal year, the OVM Fleet Administrator will direct the Department Fleet Administrator to revoke driving privileges of the driver.
- 6) The driver must attend a Drivers Safety Program and present the certificate to the OVM Fleet Administrator before driving privileges will be restored.

**No Smoking in State Vehicles**

It is the policy of OVM not to allow anyone traveling in a Motor Pool vehicle to smoke.

**The Commonwealth of Massachusetts  
Operational Services Division  
Office of Vehicle Management**

**Attachments**

The Commonwealth of Massachusetts  
Operational Services Division  
Office of Vehicle Management

VEHICLE LEASE REQUEST  
Form OVM-R

Request For:

New Lease: \_\_\_\_\_

Lease Renewal: \_\_\_\_\_

Date Requested: \_\_\_\_\_

Vehicle Requested: (Check One)

\_\_\_\_\_ Intermediate Car

\_\_\_\_\_ Compact Truck

\_\_\_\_\_ Compact

\_\_\_\_\_ Mini-Van

\_\_\_\_\_ Intermediate Wagon

\_\_\_\_\_ Utility Vehicle

\_\_\_\_\_ Full Size Wagon

\_\_\_\_\_ 1 / 2 Ton Pick-up

\_\_\_\_\_ Van (\_\_\_\_\_ Passenger)

\_\_\_\_\_ 3 / 4 Ton Pick-up

\_\_\_\_\_ Other (Please attach Specifications)

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Contact: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Employee Responsible  
for the vehicle:

\_\_\_\_\_

Driver' License Number:

\_\_\_\_\_

Proposed Vehicle Location:

\_\_\_\_\_

If more than one person will be driving the vehicle, please list those names and their driver's license numbers. (Attach additional pages if necessary.)

Name

License #

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Billing Information:**

Account #/Subsidiary: \_\_\_\_\_

Organization Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**Justification for Vehicle:** ( including a Cost Benefit Analysis, attach additional documentation if necessary.)

Signature of  
Agency Head: \_\_\_\_\_ Date: \_\_\_\_\_

Upon approval of this document and receipt of a vehicle, I hereby agree to the following conditions of this lease.

- A. Sufficient funds are available to pay for the monthly lease charges of this vehicle;
- B. This vehicle will be driven a minimum of 1,250 miles per month. If a waiver from this requirement has been granted from OVM, a copy of that waiver is attached to this agreement;
- C. All vehicle maintenance will be scheduled in accordance with the requirements of Administrative Bulletin 93-1, and with any special requirements as defined by the vehicle's manufacturer;
- D. All persons driving or riding in this vehicle will wear seat belts at all times, in accordance with the requirements of Executive Order 241, and;
- E. OVM may revoke this lease at any time for misuse, neglect of maintenance, non-payment of lease charges, excessive repair cost, or other reasons as deemed appropriate by the Fleet Administrator.

Signature of Agency  
Fleet Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of  
OVM Fleet Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Approved \_\_\_\_\_ Denied\*

\*If denied, documentation as to the reason will be forwarded to the requesting agency.

**FOR OVM USE ONLY:**

State Vehicle Assigned: \_\_\_\_\_  
Make: \_\_\_\_\_  
Model: \_\_\_\_\_  
Type: \_\_\_\_\_  
VIN: \_\_\_\_\_  
Duration of Lease: \_\_\_\_\_  
Beginning Date: \_\_\_\_\_  
End Date: \_\_\_\_\_

ovm-r.doc

The Commonwealth of Massachusetts  
Operational Services Division  
Office of Vehicle Management

OVERNIGHT TRAVEL  
Form OVM-10

Driver's Name: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_

Agency: \_\_\_\_\_

Phone Number: \_\_\_\_\_

State Vehicle: \_\_\_\_\_

Travel Destination: \_\_\_\_\_

Dates of Travel: \_\_\_\_\_

Justification for Overnight Use:

The Vehicle will be Parked During Off-Duty Periods at the Following Location:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Circle One:

Garaged

Driveway

Street

Signature of  
Operator: \_\_\_\_\_

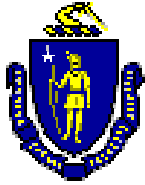
Date: \_\_\_\_\_

Signature of  
Agency Head: \_\_\_\_\_

Date: \_\_\_\_\_

FOR OVM USE ONLY: Dispatcher Initials: \_\_\_\_\_  
(Motor Pool Cars Only)

THE ORIGINAL OVM FORM-10 MUST BE KEPT ON FILE. IN ADDITION, A COPY OF THE  
APPROVED FORM MUST BE KEPT IN THE VEHICLE AT ALL TIMES.



**The Commonwealth of Massachusetts  
Executive Office for Administration and Finance  
Operational Services Division  
One Ashburton Place, Boston, MA 02108-1552**



**TO: Fleet Administrators, Payroll Directors and  
All State Employees in Employer-Provided Vehicles**

**FROM: Herbert Faulconer, Fleet Administrator  
Office of Vehicle Management, Operational Services Division**

**DATE: October 15, 2003**

**RE: Required Fringe Benefit Tax Reporting for Tax Year 2003  
Employee Use of Commonwealth Provided Vehicle**

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Federal and State Law requires employers, including the Commonwealth, to include "Fringe Benefit Income" on annual W-2 forms submitted to the Internal Revenue Service (IRS) and Department of Revenue (DOR) for each employee. Such fringe benefit income includes an employee's use of an employer-provided vehicle for business purposes which is also used for commuting. The IRS regulations on this topic are extensive. The primary provisions are found in Federal Payroll Tax Laws and Regulations, United States Code, Title 26 Internal Revenue Code, Code 61 Reg. 1.61-21(f)(3). Pertinent definitions are listed at the end of this memo.

Please note that the IRS rules require employees to maintain adequate records to substantiate their use of an employer-provided vehicle. While it is the Commonwealth's duty to report usage of Commonwealth provided vehicles by employees to the IRS; disputes concerning the correct computation or verification of commuting use are between the taxpayer and the IRS. It is assumed that this requirement will continue, and you are urged to maintain accurate records for tax year 2004.

In an effort to issue a single, complete and correct W2 for tax year 2003 through the state payroll system, HR/CMS, non-cash benefits such as the use of a Commonwealth provided vehicle for business and commuting purposes will be included in an employee's taxable gross income and reported together with regular wages on the W-2.

Fringe benefits must be added to an employee's federal and state taxable gross income and are subject to federal and state income tax withholding and Medicare taxes. Non-cash fringe benefits are added to Federal taxable gross (Box 1) and state taxable gross (Box 16). Non-cash fringe benefits included in Box 1 are summarized in Box 14. The Commonwealth annually reports employee use of Commonwealth motor vehicles for commuting using the period from November through October. Reporting for tax year 2003 will be November 1, 2002 through October 31, 2003.

**Employees Commuting 15 or Less Times During November 1, 2002-October 31, 2003.**

The IRS rules provide for the exclusion of fringe benefits that have so small a value that accounting for them would be administratively impractical ("De Minimis Fringe"). For the purposes of this memo, employees who commute in Commonwealth-provided vehicles must report only if they have had 15 or more commutes during the period from November 1, 2002 through October 31, 2003.



## **Employee Reporting Responsibilities**

1. Any employee who received the fringe benefit of the use of a Commonwealth-provided vehicle for business use and commuting, should list the number of commutes made in employer-provided vehicles in PART A of the attached "**CERTIFICATION OF EMPLOYEE MOTOR VEHICLE USE - FORM OVM IRS**". The number of one-way commutes you have made in employer-provided vehicles will be multiplied by \$1.50. Your W-2 will reflect this amount.
2. If some or all of your commutes in a Commonwealth-provided vehicle(s) were eligible for the exemptions described under the Definitions Section you should complete PART B of the Certification Form. Please describe in detail the factors that make the exemption applicable, so that OVM can confirm its validity.
3. For those few individuals that have been granted waivers to continue domicile privileges, their income as reported to the IRS will reflect the \$1.50 commute per commute for 249 days, unless the signed certification indicates a different number of commutes.
4. **\*\*\*\*\*The completed and executed Certification Form (PART A and B) must be returned to your Department's Payroll Director NO LATER THAN November 25, 2003.**

**FAILURE TO RETURN THIS CERTIFICATION FORM BY THE DEADLINE WILL  
AFFECT YOUR INCOME AS REPORTED TO THE IRS FOR 2003.**

## **Department Processing and Reporting Requirements**

Departments are responsible for the processing of tax reporting for employees receiving the fringe benefit of the use of a Commonwealth-provided vehicle for business use and commuting.

1. The Fleet Administrator must distribute the attached "**CERTIFICATION OF EMPLOYEE MOTOR VEHICLE USE - FORM OVM IRS**" to any employee who has been provided with use of a Commonwealth provided vehicle between November 1, 2002 through October 31, 2003. The Fleet Administrator should immediately forward the completed forms to their Payroll Director for processing.
2. The Fleet Administrator must list any employee who has used a Commonwealth-provided vehicle for business use and commuting at any time during November 1, 2002 through October 31, 2003 in "**PART C - Summary**" on the attached "**SUMMARY CERTIFICATION FOR DEPARTMENT OF EMPLOYEE MOTOR VEHICLE USE**."
3. Department Fleet Administrator must complete the attached Summary Certification, PART C, and return it to the Office of Vehicle Management (OVM) NO LATER THAN November 25, 2003. OVM will review this earnings code in the warehouse for department compliance.
4. Data entry may begin November 17, 2003 for the pay period ending November 29, 2003.
5. All employees who received the non-cash fringe benefit of use of a Commonwealth provided vehicle for business and commuting must have their payroll records updated by the payroll period ending December 13, 2003.

## **Definitions**

**Commuting Use Income:** Federal Statutes and regulations require the attribution of income to employees for each commute made in an (NON-EXEMPT) employer-provided motor vehicle. The meaning of each of these terms is explained below.

The IRS permits employers to select any of several methods for valuing employee use of employer-provided vehicles. The Commonwealth has again chosen to use the method that applies a flat rate of \$1.50 per one-way commute, since this will be the simplest and most advantageous approach in the vast majority of cases.

**Commute:** Under the IRS rules, a “commute” is a trip, one end of which is at your home, and the other end of which is at a work site located in the area where you ordinarily work. When the work site to which you travel is outside the area where you ordinarily work, the IRS regards your travel as a business trip, not a commute, subject to fringe benefit treatment.

Thus, to count your commutes, you must first identify the area where you ordinarily work, then, anytime that you set out from home and travel to a work site in that area, you have commuted. Each trip to or from your home counts as a commute. So, if you go to work and return home again, you have made two one-way commutes.

**Employer-Provided Vehicle:** The IRS rules attributes income to you for any commute that you made in a vehicle made available to you in connection with your employment. Specially, you must count commutes, not only when you were a driver, but also when you were a passenger in an employer-provided vehicle (whether or not the driver also counts the same trip as a commute). And you must count commutes, not only in Commonwealth-owned vehicles, but also in vehicles leased to the Commonwealth or provided to you by a contractor in connection with your state employment.

The IRS rules provide exemptions for commutes made in certain narrowly defined classes of “Qualified Non-Personal use vehicles”. Two specific components of this exemption are noteworthy (see 26 CFR 1.274-5T (K)).

**Law Enforcement and Fire Vehicles-Clearly Marked (exemption):** Police and fire vehicles are exempt, when a police officer or a fire fighter is required to commute in them, so that he/she can be on call outside his/her regular shift. In addition, unmarked law enforcement vehicles are exempt when used in fulfilling a law enforcement responsibility by an individual meeting a three-part definition of law enforcement officer (employed full-time by a law enforcement agency; authorized to carry a gun, execute warrants, and make arrests and; ordinarily carries a firearm).

**Vehicle Unsuitable for Personal Use (exemption):** Vehicles, which, because of their design and construction, are unlikely to be used to any significant extent for personal purposes are exempt. The regulation lists the types of vehicles, such as garbage trucks, tractors, and flatbed trucks, covered by this exemption. **The regulation specifically states that pickup trucks and vans are not exempt. Cab lights, two-way radios and custom paint do not modify a vehicle beyond personal use.**

OVM recognizes that the IRS rules on this subject are complex and that this memo can only offer general guidance that cannot cover every individual situation. If you do not understand how this rules apply to you or if you have any questions, please feel free to call Mary Paris at OVM, (617)-720-3306. You may also wish to consult with your tax preparer.

Philmore Anderson, Purchasing Agent  
Ellen Phillips, Deputy Purchasing Agent  
Mary Paris, OSD  
Kathy Sheppard, Director, Payees, Payments & Tax Reporting  
Michael Weld, Director Payroll and Procurement  
James Box, OSC

**The Commonwealth of Massachusetts**  
**OPERATIONAL SERVICES DIVISION**  
**Office of Vehicle Management**

**CERTIFICATION OF EMPLOYEE MOTOR VEHICLE USE**  
**Form OVM-IRS**

**PART A\*– Usage:**

I hereby certify that, during the period from November 1, 2002 to October 31, 2003, I used a non-exempt vehicle provided in connection with my employment by the Commonwealth of Massachusetts for no more than:

\_\_\_\_\_ One-way Commuting Trips.

**OR**

**PART B – Exemption:**

\_\_\_\_\_ All (how many?) \_\_\_\_\_ Some (how many?)

of my continuing use of my employer-provided vehicle in 2003 was exempt from IRS reporting requirements because of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Refer to the IRS Publication – *Business Use of a Car*, for authorized exemptions.)

Name: \_\_\_\_\_  
Social Security #: \_\_\_\_\_  
Position: \_\_\_\_\_  
Agency: \_\_\_\_\_ Agency Code # \_\_\_\_\_

**Signature of Employee** \_\_\_\_\_

Signed under the pains and penalties of perjury this \_\_\_\_\_ day  
of \_\_\_\_\_, 2003.

**This form must be returned by November 15, 2003 to your Department's Fleet Administrator**

**FAILURE TO RETURN THIS FORM BY THE DEADLINE WILL AFFECT YOUR INCOME AS REPORTED TO THE IRS FOR 2003.**

\* Everyone should fill out **Part A** of this certification. If you made no commutes in employer-provided vehicles, or if all of your commutes are exempt, please place a zero in the blank. Otherwise, list the numbers of non-exempt **one-way** commutes you have made in employer-provided vehicles. Your W-2 will reflect this number multiplied by \$1.50.

The Commonwealth of Massachusetts  
OPERATIONAL SERVICES DIVISION  
Office of Vehicle Management

**SUMMARY CERTIFICATION FOR DEPARTMENT  
OF EMPLOYEE MOTOR VEHICLE USE  
Form OVM-IRS**

Department: \_\_\_\_\_

Dept Code: \_\_\_\_\_

**PART C – Summary:**

Employee Name  
Commutes

Employee ID

Number of One-Way

The above persons have been provided with the fringe benefit of employer-provided vehicle use during the period November 1, 2002 to October 31, 2003.  
Their benefit will be recorded in HR/CMS by the deadline: payroll period end date December 13, 2003.

Fleet Administrator: \_\_\_\_\_ Date: \_\_\_\_\_.

This form must be returned by November 25, 2003 to:

Office of Vehicle Management  
One Ashburton Place, Room 1017  
Boston, MA 02108

The Commonwealth of Massachusetts  
Operational Services Division  
Office of Vehicle Management

REQUEST FOR WAIVER  
TO  
OVM VEHICLE MINIMUM 1,250 MONTHLY MILEAGE REQUIREMENT  
Form OVM-W

Waiver Request for Vehicle Registration: \_\_\_\_\_

*Requests must be made on an individual vehicle basis. No blanket waivers will be approved.*

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Make: \_\_\_\_\_

Model: \_\_\_\_\_

Type Vehicle: \_\_\_\_\_

Please list any modifications that have been made to the vehicle:

Employee Responsible: \_\_\_\_\_

Driver's License #: \_\_\_\_\_

Vehicle Location: \_\_\_\_\_

Principal Use of Vehicle: \_\_\_\_\_

**Justification For Waiver:** (Attach additional documentation if necessary.)

Signature of  
Agency Head: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR OVM USE ONLY:**

**Approved:** \_\_\_\_\_

**Disapproved\*:**

OVM Fleet Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

*\*If this waiver is not approved, a letter as to the reasons why will be forwarded to the Agency Fleet Administrator.*

ovm-w.doc

The Commonwealth of Massachusetts  
The Operational Services Division  
Office of Vehicle Management

Confidential Registration Request  
OVM-CRR Form

State Vehicle Registration: \_ \_ \_ \_ \_

Department Code/Name: \_ \_ \_ \_  
Code Name

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: ( \_ \_ \_ ) \_ \_ \_ - \_ \_ \_

Vehicle Year: \_ \_ \_ \_

Make and Model: \_\_\_\_\_  
Make Model

Type of Request: New \_\_\_\_\_ Renewal \_\_\_\_\_ Transfer \_\_\_\_\_

Two Year Period Required: From: \_\_/\_\_/\_\_ To: \_\_/\_\_/\_\_

Justification for Confidential Registration: (Attach additional documentation if necessary)

Department Head: \_\_\_\_\_ Date: \_\_/\_\_/\_\_

Cabinet Secretary: \_\_\_\_\_ Date: \_\_/\_\_/\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

OVM Fleet Administrator: \_\_\_\_\_ Date: \_\_/\_\_/\_\_

OVM CRR.doc 12/12/02